DELEGATED REPORT

Recommendation Made:

Reference:- 11/00327/TPO **Parish:- Sheepy Parish Council**

Applicant:- Mr Geoffrey Bingham
Grove House
3 Manor View
Sibson
Nuneaton

Location:- Grove House 3 Manor View Sibson Nuneaton Leicestershire

Proposal:- REMOVAL OF ONE ASH TREE AND ONE SYCAMORE TREE (AREA TPO)

Introduction:-

This application seeks approval to remove one Ash Tree and one Sycamore Tree from the rear garden of 3 MAnor View, Sibson. Both Trees are protected by the Borough Council of Hinckley and Bosworth (Sibson Manor) Tree Preservation Order 1990. The Ash Tree is within close proximatey of a recently built conservatory and the Sycamore Tree is between the Ash Tree and the rear boundary and both trees are within Sibson Conservation Area.

The applicant and the agent has outlined their justification for the removal of these trees as follows:-

In respect of the Ash Tree

Remove to prevent further damage from failing branches.

In respect of the Sycamore Tree

The Sycamore has visible heart rot and stress cracks and there are fears that if the tree was to come down due to weather, it would damage nearby buildings.

A statement has been provided by Nuneaton Tree Services which recommends removal rather than pollarding or crown reduction because of the excessive dead wood present.

Application History.

03/00024/TPO - Works to one Ash Tree - Permitted
07/00830/TPO - Works to two Trees - Permitted

Consultations:-

No objections have been received from Sheepy Parish council

The Local Authorities Tree Officer has commented that the Ash tree is mostly hidden from public view and that when considering its position, future growth and the presence of other trees in the garden, it is not appropriate or important to retain this tree. The Sycamore is immature but the stem wound is long standing and not serious enough to warrant felling, furthermore, wound-wood growth around the scaris vigerous and it is occluding.

Development Plan Policies:-

No policies.

Appraisal:-

The main consideration with regards to this application is whether the removal of this these tree's is justified

and whether their removal will have a detrimental effect on the visual amenity of the surrounding area or on the group Tree Preservation Order which covers the properties at Manor View, Sibson

The Ash tree is within close proximity to the recently constructed conservatory and currently contains three dead branches within the crown and a low branch which extends towards the conservatory. The tree is sitied within close proximate to the conservatory and when considered comprehensively, the tree not substantially visible to surrounding properties or public areas as it is mostly screened by the dwelling house and therefore its removal would not impact on any visual amenity. On banlace when taking in to account the dead branches within the crown, the trees location and lack of viability, the removal of this tree is considered appropriate and beneficial to the group Tree Preservation Order.

In respect of the Sycamore Tree, the agent has outlined possible issues with the trees health and fears of property damage should the tree fall due to weather. The tree is further away from the residential property than the Ash tree and although there are agricultural buildings nearby, the stem wound which is the basis of the agents justification is long standing and is not considered serious enough to pose an imminent threat to the health of the tree. On balance, taking into account the trees current health, location and contribution the group Tree Preservation Order it is considered that there is insufficient justification for its removal.

In summary, it is reccomended that a split decision is issued which refuses to allow the removal of the Sycamore tree but permits the removal of the Ash Tree.

It is considered that tree replanting is not appropriate in this location due to the presence of more mature trees which exist on site.

1 All works are to be carried out in accordance with British Standards 3998 - 'Works to Trees'.

Reasons :-

1 To ensure the works are carried out in a satisfactory manner.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Nick Cox Ext 5659